

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

J.V. BY HER GUARDIAN AD LITEM JUAN
VALDEZ, AND JUAN VALDEZ, NORA
VALDEZ, INDIVIDUALLY, AND B.V., BY
HIS GUARDIAN AD LITEM JUAN VALDEZ

Plaintiff,

v.

MACY'S, INC., THYSSENKRUPP ELEVATOR
AMERICA, INC., JOHN DOE 1-10 (fictitious
names), AND ABC CORP. 1-10 (fictitious
names),

Defendants.

Civ. No. 13-5957 (KSH) (CLW)

ORDER

Upon consideration of the motion (D.E. 8) of defendant ThyssenKrupp Elevator Corporation ("ThyssenKrupp") to dismiss the complaint filed by plaintiff J.V. (D.E. 1); and for the reasons expressed in the Court's opinion filed herewith,

IT IS, on this 30th day of September, 2014,

ORDERED that defendant's motion to dismiss is **GRANTED** as to the *per quod* claim for parental loss of consortium; and it is further

ORDERED that defendant's motion to dismiss is **DENIED** in respect to plaintiffs' claim for breach of contract as third-party beneficiaries and plaintiffs' *per quod* claim for parental loss of services.

/s/ Katharine S. Hayden
Katharine S. Hayden, U.S.D.J.